In the United States Patent and Trademark Office

Serial No.:	10/045,964	**Docket No.:** 17209-319		
Filed:	01/14/2002	**Conf.No.:** 2784	**Art Unit:**	3691
Applicant(s): Wilce et al.		**Examiner:** Shrestha, Bijendra K.		
For:	METHOD AND APPARATUS FOR AGREEMENT NETTING			

Dear Examiner Shrestha:

Thank you for taking the time to discuss the above identified application on March 10, 2010. Further to our discussion, we proposed the amendments to the specification and the pending claims as attached herewith. Please give us a call at 212-408-2341 if you have any questions.

Respectfully submitted,
Attorney(s) for Applicant,
CHADBOURNE & PARKE LLP

Dated: <u>March 12, 2010</u>

By:/ Daniel C. Sheridan/
Daniel C. Sheridan
Registration No.: 53,585

<u>Correspondence Address:</u>
CHADBOURNE & PARKE LLP
30 Rockefeller Plaza
New York, NY 10112

212-408-5100 (Telephone)
212-541-5369 (Facsimile)
patents@chadbourne.com (E-mail)

AMENDMENTS TO THE SPECIFICATION

Applicant submits that the following amendments to the specification are consistent with the originally filed specification and no new matter has been added.

Please amend the specification by replacing paragraph 3 on page 3 with the following:

According to some embodiments, agreement information is retrieved from a counterparty system. According to some embodiments, netting determinations are forwarded to systems including counterparty agreement database systems, credit systems and <u>Financial Accounting Standards Board (FASB)</u> systems. According to some embodiments, net positions between a contracting entity and a counterparty are tracked based on the outcome of netting determinations.

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1.   (Currently Amended) A processor-implemented method for performing a netting analysis of a netting agreement, the method comprising:

receiving netting agreement information for said netting agreement, said netting agreement information identifying a party, a counterparty, and facts governing said netting agreement, the facts of said netting agreement including: a form of agreement, a governing law, a country of organization, a state or province of organization, a legal structure, a parent company country of organization, and a parent company legal structure;

receiving at least one issue associated with said agreement, the at least one issue based on an existence or non-existence of particular facts in the facts governing said netting agreement;

analyzing said netting agreement by comparing, ~~using~~ via a processor, said facts governing said netting agreement information with a netting rule that applies to the netting agreement for said at least one issue; [[and]]

generating a netting determination indicative of an ability of the party and counterparty to net under said netting agreement based, at least in part, on a result of said comparing, wherein said netting determination includes a qualification of said netting agreement and a level of confidence indicative of enforceability, wherein the level of confidence is retrieved from a rule database based on an outcome of the rule application; and

providing the generated netting determination to a client device.

2-3.   (Previously Canceled)

4.   (Original) The method of claim 1, further comprising:

forwarding said netting determination to an agreement database.

5.   (Original) The method of claim 1, further comprising:

forwarding said netting determination to a credit database; and

updating a net credit amount associated with said counterparty and said party in said credit database.

6.   (Original) The method of claim 1, further comprising:

forwarding said netting determination to a FASB database; and

updating a netting amount associated with said counterparty and said party in said FASB database.

7-9.   (Previously Canceled)

10.   (Currently Amended) A <u>processor-implemented</u> method for performing a netting analysis of a netting agreement, the method comprising:

identifying fact data associated with said netting agreement, said fact data including data identifying a contracting entity and data identifying a counterparty;

identifying a default set of issues associated said fact data associated with said netting agreement, said default set of issues based on an existence or non-existence of particular facts governing said netting agreement;

identifying facts in said fact data associated with said netting agreement and associated with a first issue from said default set of issues, said facts including: a form of agreement, a governing law, a country of organization, a state or province of organization, a legal structure, a parent company country of organization, and a parent company legal structure;

applying, ~~using~~ <u>via</u> a processor, a netting rule to said fact data for said first issue, said netting rule selected based at least in part on said first issue, said netting rule is established by training a netting decision engine; [[and]]

generating a netting determination based at least in part on said application of said netting rule and indicative of an ability of the party and counterparty to net under said netting agreement, wherein said netting determination includes a qualification of said netting agreement and a level of confidence indicative of enforceability, wherein the level of confidence is retrieved from a rule database based on an outcome of the rule application<u>; and</u>

<u>providing the generated netting determination to a client device.</u>

11.   (Previously Presented) The method of claim 10, further comprising:

identifying fact data associated with a second issue;

applying a second netting rule to said fact data for said second issue, said second netting rule selected based at least in part on said second issue; and

generating a netting determination based at least in part on said application of said netting rule and said second netting rule.

12.   (Previously Presented) The method of claim 11, further comprising:

identifying fact data associated with a third issue;

establishing a new netting rule based at least in part on said fact data and said third issue;

applying said new netting rule to said fact data for said third issue;

generating a netting determination based at least in part on said application of said netting rule and said new netting rule.

13.   (Canceled)

14.   (Currently Amended) The method of claim [[13]] 10, further comprising:

updating a credit database based on the generated netting determination said new netting position.

15.   (Currently Amended) The method of claim [[13]] 10, further comprising:

updating a FASB database based on the generated netting determination said new netting position.

16.   (Previously Canceled)

17.   (Currently Amended) An apparatus for performing netting analysis of counterparty netting agreements, comprising:

a processor;

a communications device in communication with said processor, receiving counterparty agreement data; and

a memory unit in communication with said processor and storing a program, wherein the processor is operative with said program to:

identify ~~identifying~~, from said counterparty netting agreement data, a party, a counterparty to said counterparty netting agreement, and facts governing said counterparty netting agreement, the facts of said counterparty netting agreement including: a form of agreement, a governing law, a country of organization, a state or province of organization, a legal structure, and a parent company country of organization;

receive ~~receiving~~ at least one issue associated with said agreement, the at least one issue based on an existence or non-existence of particular facts in the facts governing said netting agreement;

analyze said agreement by comparing~~, using a processor,~~ said facts governing said netting counterparty netting agreement data with a netting rule that applies to said counterparty netting agreement for said at least one issue, said netting rule is established by training a netting decision engine; [[and]]

generate ~~generating~~ a netting determination for said counterparty netting agreement based at least in part on a result of said comparing and

indicative of an ability of the party and counterparty to net under said counterparty netting agreement, wherein said netting determination includes a qualification of said netting agreement and a level of confidence indicative of enforceability, wherein the level of confidence is retrieved from a rule database based on an outcome of the rule application; and

provide the generated netting determination to a client device.

18.   (Currently Amended) A processor-readable medium storing a plurality of processing instructions, for performing a netting analysis of a netting agreement, comprising issuable instructions by a processor to:

identify fact data associated with said netting agreement, said fact data including data identifying a contracting entity and data identifying a counterparty;

identify a default set of issues associated with said netting agreement, said default set of issues based on an existence or non-existence of particular facts governing said netting agreement;

identify facts in said fact data associated with said netting agreement and associated with a first issue from said default set of issues, said facts including: a form of agreement, a governing law, a country of organization, a state or province of organization, a legal structure, a parent company country of organization, and a parent company legal structure;

apply a netting rule to said fact data for said first issue, said netting rule selected based at least in part on said first issue, said netting rule is established by training a netting decision engine; and

generate a netting determination based at least in part on said application of said netting rule and indicative of an ability of the party and

counterparty to net under said netting agreement, wherein said netting determination includes a qualification of said netting agreement and a level of confidence indicative of enforceability, wherein the level of confidence is retrieved from a rule database based on an outcome of the rule application; and

provide the generated netting determination to a client device.

19.   (Previously Canceled)